

REMARKS

By this amendment, claim 1 has been amended, and previously withdrawn claims 9-20 have been canceled without prejudice or disclaimer. Accordingly, claims 1 and 3-8 are currently pending in the application, of which claim 1 is independent.

Applicants respectfully submit that the above amendments do not add new matter to the application and are fully supported by the specification. Support for the amendments may be found at least in Figure 1.

Entry of the Amendments and Remarks is respectfully requested because entry of Amendment places the present application in condition for allowance, or in the alternative, better form for appeal. No new matters are believed to be added by these Amendments. In view of the above amendments and the following Remarks, Applicants respectfully request reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

Change of Address

Applicants note that the most recently issued Office Action was mailed to an incorrect address. Per the Notice of Recordation of Assignment Document mailed 30 March 2005, a new assignment, filed 26 March 2004, was recorded with a recordation date of 19 July 2004 at REEL/FRAME 015602/0298. In addition, a new power of attorney and change of address executed by the assignee was also filed on 26 March 2004. Copies of the filed documents were included in the Reply filed on 31 January 2005. Applicants request that the U.S. Patent and Trademark Office effectuate this change immediately so that future Office Actions may be mailed to the correct mailing address, which is:

McGuireWoods LLP
1750 Tysons Boulevard
Suite 1800
McLean, VA 22102-4215

Rejections Under 35 U.S.C. § 103

Claims 1 and 3 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Japanese Publication No. 590055487 (“Nippon”) in view of U.S. Patent No. 6,331,438 to Aylott *et al.* (“Aylott”). Applicants respectfully traverse this rejection for at least the following reasons.

Amended claim 1, recites, *inter alia*, “at least a portion of said light sensor being formed directly on said upper electrode of said light emitting element.” Applicants respectfully submit that the prior art of record does not teach or suggest this feature.

As recognized by the Office Action, Nippon does not disclose a light sensor formed on a light emitting element. Further, Aylott fails to teach or suggest “at least a portion of said light sensor being formed directly on said upper electrode of said light emitting element.” Rather, as shown in Fig. 4 of Aylott, a photoluminescent sensor 37 is provided directly on the transparent substrate 34. Accordingly, assuming *arguendo* that combining Nippon and Aylott is proper, the combination of Nippon and Aylott fails to teach each and every element of the invention.

Claim 3 is patentable at least because of its dependency from claim 1. Therefore, Applicants respectfully submit that claims 1 and 3 are patentable over the prior art of record, and request that the rejection be withdrawn and the claims passed to issue.

Dependent Claims

Claim 4 stands rejected as unpatentable over Nippon in view of Aylott and U.S. Patent No. 5,105,238 to Nikaido *et al.* (“Nikaido”). Claim 5-6 stand rejected as unpatentable over

Nippon in view of Aylott, Nikaido and U.S. Patent No. 6,133,581 to Terao *et al.* ("Terao").

Claim 7 stands rejected as unpatentable over Nippon in view of Aylott, Nikaido, Terao and Japanese Publication No. 361134084 ("Mori"). Claim 8 stands rejected as unpatentable over Nippon in view of Aylott, Nikaido, Terao and U.S. Patent No. 4,820,915 to Hamakawa *et al.* ("Hamakawa").

Claims 4-8 depend from independent claim 1. None of Nikaido, Terao, Mori, and Hamakawa, either alone or in combination, remedy the deficiencies of Nippon and Aylott as discussed above with respect to claim 1. Therefore, for at least the reasons set forth above with respect to claim 1, claims 4-8 are patentable over the prior art of record. Applicants respectfully request that the rejections be withdrawn and the claims passed to issue.

CONCLUSION

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated objections and grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,



Hae-Chan Park
Reg. No. 50,114

Date: August 3, 2005

McGuireWoods LLP
1750 Tysons Boulevard
Suite 1800
McLean, VA 22102-4215
Tel: 703-712-5365
Fax: 703-712-5280
HCP:RTS/alj

\COM\521111